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February 8, 2019

Honorable Paul A. Engelmayer
United States District Court Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Jamel Jones, et. al.
Case No.: 1:18-CR-0834 (PAE)

Dear Judge Engelmayer:

As your Honor is aware, I represent Daniel Hernandez with regard to the above-referenced case. As per your Honor's order, dated February 5, 2019, I am submitting the following response to the letter from Edward Sapone, attorney for Faheem Walter.

Mr. Sapone is mistaken in suggesting that I had any substantive conversations with Faheem Walter about the facts of his case entitled The People of the State of New York v. Faheem Walter, docket number 2018NY042806. After being arrested in connection with this case on October 26, 2018, Faheem Walter remain hospitalized for a little over two weeks. He was eventually released from the hospital on November 13, 2018 and brought directly to court by police so that he could be arraigned upon the felony complaint filed as part of the aforementioned case. Given that Faheem Walter remained at the hospital from October 26, 2018 until November 13, 2018, I had absolutely no conversations with Faheem Walter during this 18-day period.

Moreover, even when I saw Faheem Walter in court for his arraignment on November 13th, I did not discuss the facts of his case or his October 26th arrest with Faheem Walter because there was no need to have such as a discussion since his release was mandated by section 180.80 of the Criminal Procedure Law (based upon the District Attorney's Office's failure to obtain an indictment within six days of his arrest). At his arraignment on November 13th, there was no discussion about the facts of the case because the Judge understood that Faheem Walter had to be released pursuant

to statute. After his arraignment on November 13th, I never again saw or spoke with Faheem Walter. His case was later dismissed on January 8, 2019. Therefore, I never had a substantive conversation with Faheem Walter with regard to his above-mentioned state case. Accordingly, I gained absolutely no privileged or confidential information from Faheem Walter. The extent of my communications with Faheem Walter lasted only a few minutes and essentially amounted to me telling him that he would be getting released. Not only would I never disclose privileged communications, in Faheem Walter's case, I had no privileged communications to disclose.

Finally, the above-mentioned state case is unrelated to the case before this Court. While the case involved one of Faheem Walter's co-defendant, Kifano Jordan, the facts leading to Faheem Walter's arrest on October 26 had absolutely nothing to do with the case before this Court. Additionally, the case against Faheem Walter was dismissed and sealed on the District Attorney's motion.

Thank you for your attention herein. Please contact me if you need any additional information regarding the issues raised in this letter.

Very Truly Yours,

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BY: /s/
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